

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Nationwide Number Portability	)	WC Docket No. 17-244
	)	
Numbering Policies for Modern Communications	)	WC Docket No. 13-97
	)	

**COMMENTS OF COMCAST CORPORATION**

Comcast Corporation (“Comcast”) hereby submits these comments in response to the Notice of Proposed Rulemaking and Notice of Inquiry issued by the Federal Communications Commission (“FCC” or “Commission”) in the above-captioned matter, which seeks comment on the next steps in moving toward nationwide number portability (“NNP”).<sup>1</sup>

**I. INTRODUCTION AND SUMMARY**

Comcast applauds the Commission for continuing its efforts to implement NNP. As the Commission recognizes, “individuals and businesses value their telephone numbers and the ability to keep them – whether changing service providers, moving from one neighborhood to another, or relocating across the country.”<sup>2</sup> Moreover, NNP could both “increase routing efficiency in the network”<sup>3</sup> and reduce the overall demand for new numbers.<sup>4</sup> The ongoing

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<sup>1</sup> *Nationwide Number Portability; Numbering Policies for Modern Communications*, Notice of Proposed Rulemaking and Notice of Inquiry, 32 FCC Rcd 8034 (2017) (“*NNP NPRM/NOR*”).

<sup>2</sup> *Id.* ¶ 1.

<sup>3</sup> *Id.* ¶ 12.

<sup>4</sup> Comments of Comcast Corporation, WC Docket No. 04-36, at 13 (July 19, 2013) (“[B]ecause the implementation of a numbering system that does not tie an NPA/NXX code to a particular geographic area should permit wireline users to take their numbers with them when

transition to ubiquitous, all-IP networks should facilitate the Commission's effort to make NNP available nationwide.

In the NPRM, the Commission seeks comment on forbearing from toll dialing parity and eliminating N-1 query requirements "to begin forging the way towards NNP."<sup>5</sup> Comcast recommends that (1) the Commission should immediately forbear from the outdated, wholly unnecessary toll dialing parity obligations that currently apply to competitive local exchange carriers ("CLECs"); and (2) to the extent the Commission eliminates the N-1 query requirement, it should both (a) wait until the Number Portability Administration Center ("NPAC") transition is complete to implement this change; and (b) adopt measures to ensure that after the N-1 query requirement has been repealed, all calls are queried before they are transmitted to the terminating carrier.

In the NOI, the Commission generally seeks comment on the "steps that would lay the groundwork" for implementing NNP.<sup>6</sup> As an initial matter, the Commission should establish a near-term deadline by which the North American Numbering Council ("NANC") must prepare a list of the technical obstacles and other issues currently impeding NNP. Once these barriers to NNP are identified, the Commission should assign to the NANC the responsibility of developing a comprehensive plan for eliminating these impediments. The Commission then would be in a position to immediately seek comment on any regulatory requirements or changes that would facilitate implementation of the NANC plan and effectuate these rules once the NPAC transition has been completed.

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they move, regardless of the distance from their current location, the overall demand for new numbers should be reduced.").

<sup>5</sup> *NNP NPRM/NOI* ¶ 19.

<sup>6</sup> *Id.* ¶ 37.

## II. THE COMMISSION SHOULD ELIMINATE LEGACY REGULATIONS THAT MAY IMPEDE THE TRANSITION TO NNP.

As an initial step toward the adoption of an NNP regime, the Commission seeks comment on eliminating “certain legacy aspects” of its telephone regulations that could hinder the future implementation of NNP.<sup>7</sup> Comcast agrees that the Commission should immediately forbear from the remaining interexchange toll dialing parity requirements and eliminate the associated Commission regulations.<sup>8</sup> These requirements are unnecessary vestiges from a prior era that “are no longer necessary in today’s all-distance market.”<sup>9</sup> Notably, in 2015, the Commission generally forbore from the “application to incumbent LECs of all remaining equal access and dialing parity requirements for interexchange services.”<sup>10</sup> Given that these provisions were created as safeguards to protect competitive providers against potentially unreasonable practices by *incumbent* LECs, there is no plausible basis for retaining any obligations that now extend primarily to *competitive* providers. Moreover, as the Commission observes, forbearance would serve the public interest by “enabl[ing] originating carriers to better choose how to route their calls” and “preventing inefficient network routing that otherwise might result from various NNP proposals.”<sup>11</sup>

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<sup>7</sup> *Id.* ¶ 12.

<sup>8</sup> *See id.* ¶¶ 26-32, 35-36.

<sup>9</sup> *Id.* ¶ 27 (further noting that “stand-alone long-distance has not been critical to competition for over a decade, with declining demand for it from both mass-market and business customers”).

<sup>10</sup> *Petition of USTelecom for Forbearance Pursuant to 47 U.S.C. 160(c) from Enforcement of Obsolete ILEC Legacy Regulations that Inhibit Deployment of Next-Generation Networks*, Memorandum Opinion and Order, 31 FCC Rcd 6157, ¶ 46 (2015) (concluding that “this relief is warranted by the dramatic changes in the wireline voice market since these requirements were established, the regulatory disparity between incumbent LECs and their wireline competitors, and the costs associated with compliance”).

<sup>11</sup> *NNP NPRM/NOI* ¶ 29.

Separately, the Commission proposes to eliminate the N-1 query requirement, which “mandates that the carrier immediately preceding the terminating carrier (the N-1 carrier) be responsible for ensuring that the number portability database is queried” or “dipped.”<sup>12</sup> If the Commission decides to move forward with this proposal, it should heed ATIS’s admonition about the importance of ensuring that each “call is queried before it gets to the network that is assigned the [central office] code.”<sup>13</sup> Otherwise, the terminating carrier ultimately may discover that the called party is one whose number has been ported to a different network. The Commission could address this concern by assigning to the originating provider the responsibility for ensuring that the dip is performed, either by querying the database itself or by contracting with a third party to perform the dip, before the originating provider hands off the call.

The Commission also should defer making any changes to the current N-1 query requirement effective until the ongoing NPAC transition has been completed. Waiting would ensure that the porting process is being carried out in a timely, reliable manner with the new Local Number Portability Administrator in place before the rules governing that process are modified. A deferral also would allow service providers to focus on two logistically complex processes, namely, completing the NPAC transition and changing the current porting requirements, sequentially rather than simultaneously, thus minimizing the risk that

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<sup>12</sup> *Id.* ¶ 14.

<sup>13</sup> Alliance for Telecomm. Indus. Sols., *ATIS Standard – ATIS-1000071, Technical Report on a Nationwide Number Portability Study*, at 23, § 8.1.2 (June 20, 2016), [https://apps.fcc.gov/edocs\\_public/attachmatch/DOC-340865A1.pdf](https://apps.fcc.gov/edocs_public/attachmatch/DOC-340865A1.pdf).

implementation of either would inadvertently lead to the “significant practical harms or prohibitive costs” that the Commission hopes to avoid.<sup>14</sup>

### **III. THE COMMISSION SHOULD WORK WITH THE INDUSTRY TO DEVELOP A COMPREHENSIVE NNP IMPLEMENTATION PLAN.**

In the NOI, the Commission seeks input on “how best to implement NNP.”<sup>15</sup> Comcast submits that the Commission should begin at once to work with the industry to develop a comprehensive NNP plan that can be implemented when the NPAC transition has ended. The Commission has repeatedly recognized the importance of industry participation in resolving numbering issues, and, thus, this approach would be consistent with previous efforts to address numbering matters.<sup>16</sup>

As a first step, the Commission should direct the NANC to develop a list of the obstacles that currently impede NNP from being implemented universally.<sup>17</sup> Some of these obstacles include:

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<sup>14</sup> See *NNP NPRM/NOI* ¶ 19. It is conceivable that the transition to an all-IP environment may necessitate changes to the current number porting regime. In that event, the Commission should consider whether the schedule it adopts for eliminating the N-1 query requirement also should be adjusted.

<sup>15</sup> *NNP NPRM/NOI* ¶ 37.

<sup>16</sup> See *Administration of the North American Numbering Plan*, Report and Order, 11 FCC Rcd 2588, ¶ 26 (1995) (establishing the NANC because the Commission “agree[d] with commenters suggesting that industry . . . has successfully resolved many numbering issues”); see also *Telephone Number Portability*, First Report and Order and Further Notice of Proposed Rulemaking, 11 FCC Rcd 8352 (1996) (establishing NANC oversight of number portability implementation). See also, e.g., *Local Number Portability Porting Interval and Validation Requirements*; *Telephone Number Portability*, Report and Order and Further Notice of Proposed Rulemaking, 24 FCC Rcd 6084, ¶ 10 (2009) (“We leave it to the industry to work through the mechanics of this new [porting] interval.”).

<sup>17</sup> As the Commission has noted, the NANC “was established . . . to advise the Commission on local number portability (LNP) administration issues.” Public Notice, *Wireline Competition Bureau Seeks Comment on Technical Requirements for Thousands-Block Number Pooling Administrator*, 27 FCC Rcd 4937, 4958 (2012). Furthermore, because the NANC is open to “all interested parties” and has no membership fees, relying on the NANC would enable broad

- Ensuring that E911 calls and other N11 calls will be properly routed;
- Ensuring that a call to an out-of-area North American Numbering Plan (“NANP”) number that has been ported to a local provider will be rated as a local call and billed appropriately;
- Making certain that any other jurisdiction-based matters (*e.g.*, taxes) are handled appropriately;
- Modifying or eliminating limitations on porting numbers in the NPAC;
- Addressing any state restrictions on number porting or other state concerns, such as number utilization and out-of-rate-center number assignments; and
- Addressing any limitations of legacy network equipment and legacy interconnection arrangements.

To ensure that NNP is implemented in a timely fashion, the Commission should establish a firm, reasonably near-term deadline by which the NANC must submit this list to the Commission.

The Commission should review the list of items identified by the NANC as impediments to NNP and may wish to seek public comment as part of that process. Once the Commission is satisfied that the itemized list is accurate and comprehensive, it should direct the NANC to develop a step-by-step plan for eliminating each of the obstacles. Given their extensive, collective experience with numbering matters, NANC working group participants should be able to develop and evaluate different approaches and determine how to achieve NNP successfully and efficiently.

In developing its action plan, the NANC should consider the appropriate timeline for implementing NNP. In particular, the NANC should carefully evaluate whether phasing in the new NNP regime would facilitate a more expeditious transition to universally available NNP.

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industry participation in developing NNP solutions. *See Administration of the North American Numbering Plan; Toll Free Service Access Codes*, Third Report and Order and Third Report and Order, 12 FCC Rcd 23040, ¶ 13 (1997).

For example, the Commission asks whether it would “be possible for NNP to first be implemented for a particular subset of entities using numbering resources (such as wireless providers) before applying it to all entities.”<sup>18</sup> Alternatively, once the current impediments to NNP have been removed, the Commission could select an initial date after which a service provider could choose to offer NNP and a subsequent date by which all service providers would be required to offer NNP. Under this approach, providers that elected not to offer NNP prior to the mandatory compliance date would still be obligated to cooperate in porting out the numbers of former customers who decided to switch to an NNP provider.

Once it is complete, the NANC’s final action plan would be subject to Commission review. It would be reasonable to anticipate, however, that a comprehensive NANC action plan would enable the Commission to readily identify the regulatory changes that would be needed to make NNP available throughout the country. Thus, the Commission should be well-positioned to act promptly to initiate a proceeding to adopt the rules necessary to govern the transition to NNP.

Comcast respectfully submits that the Commission should view making NNP a reality as a realistic, near-term objective, in part because the ongoing transition to ubiquitous IP communications networks will facilitate the accomplishment of that goal. For example, the fact that all voice traffic would be exchanged between IP networks via Session Initiation Protocol arrangements would eliminate the current limitations on routing calls to the correct non-geographic-based NANP numbers that the legacy time-division multiplexing technology imposes. Accordingly, the Commission’s ongoing work to facilitate the transition to an all-IP world should enable the timely introduction of NNP.

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<sup>18</sup> *NNP NPRM/NOI* ¶ 39.

#### IV. CONCLUSION

For the foregoing reasons, the Commission should begin the NNP transition by promptly eliminating the outdated legacy dialing parity requirements. If the Commission decides to repeal the current N-1 query obligation, it should not make that change effective until the NPAC transition is complete and adequate safeguards are in place to ensure the uninterrupted continuation of efficient number porting. The Commission also should direct the NANC to submit by a near-term date a list of the barriers that currently impede the implementation of NNP. After the Commission has reviewed and approved the list, it should direct the NANC to develop a detailed plan with firm milestones for overcoming those barriers. Collectively, these measures will enable the Commission to permit consumers and service providers alike to benefit from the availability of nationwide NNP as quickly as possible.

Respectfully submitted,

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